

COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION
"Creating Community Through People, Parks and Programs"

Russ Guiney, Director

September 20, 2005

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**APPROVAL OF APPROPRIATION ADJUSTMENT
AWARD A CONSTRUCTION CONTRACT
FOR GENERAL IMPROVEMENTS AT
LOS ROBLES PARK
UNIT NO. 86432, SPEC. NO. 05-0040
(Fourth District - 3 Vote Matter)**

**JOINT RECOMMENDATION WITH THE CHIEF ADMINISTRATIVE OFFICER THAT
YOUR BOARD:**

1. Approve the attached appropriation adjustment to transfer the revenue and appropriation in the amount of \$22,000 from Rowland Heights General Improvements Project (Unit No. 86392) to Los Robles General Improvements Project (Unit No. 86432).
2. Approve the revised project budget from \$888,000 to \$910,031 as detailed on Attachment A.
3. Approve the award of a construction contract to Pima Corporation in the amount of \$627,000, for the General Improvements Project at Los Robles Park.
4. Approve a change order contingency fund of \$62,700 (10 percent of the construction contract) for the General Improvements at Los Robles Park; and authorize the Director of Parks and Recreation to order changes and additions in the work in accordance with Public Contract Code Section 20142.
5. Approve and instruct the Chairman to sign the attached Agreement and approve the Bond for Faithful Performance and the Payment Bond for Labor and Materials filed by the Contractor.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The recommended actions will fulfill the project funding requirements; award the construction contract to Pima Corporation for the General Improvements at Los Robles Park; establish a change order contingency fund; and authorize the Director of Parks and Recreation to order changes and additions to the work in accordance with Public Contract Code Section 20142, thus allowing the Department of Parks and Recreation (DPR) to proceed with construction of the General Improvement project at Los Robles Park.

On May 31, 2005, your Board adopted the plans and specifications for this project at an estimated construction cost of \$606,972, not including two additive alternates. The estimated construction cost of the two additive alternates was \$178,625. As specified in the bid documents, the apparent low bid was determined based on the total lump sum bid amount, which included the base bid and the two additive alternates.

Bids were received on July 19, 2005, and the apparent lowest responsible bidder was PIMA Corporation, with a base bid of \$627,000 and a bid of \$97,000 for the two additive alternates.

After reviewing the bids and the available funding for construction, both alternates were excluded from the project. Therefore, we are recommending your Board award a construction contract to PIMA Corporation in the amount of \$627,000, which will include the base project scope of work only.

The proposed project consists of renovating the existing park building including repainting and ADA improvements to the public restrooms, including graffiti resistant finishes, fixtures, accessories; low maintenance landscaping to exterior of park building; resurfacing and re-striping of the parking lot; resurfacing and re-striping of the basketball courts; construction of accessible walkways to a picnic shelter; installation of park benches around existing play area; replacement of drinking fountains; replacement of irrigation controller; and upgrading of security lighting throughout the park.

In addition, the task of repainting the existing wood fence adjacent to the parking lot with graffiti-resistant paint, removal of two benches in shuffleboard area, and removal of wooden planks in seating area will be performed under the Youth Employment Plan.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The project will enhance the County's Strategic Plan of "Fiscal Responsibility" (Goal Number 4 of the County's Strategic Plan) by investing in public infrastructure and contributes to "Children and Families Well-Being" (Goal Number 5) by providing facilities

that will enhance activities that promote good health, safety, and social and emotional well being.

FISCAL IMPACT/FINANCING

The construction budget includes the base bid of \$627,000 and a change order contingency fund of \$62,700 (10 percent of the construction contract amount). The total project budget (see Attachment A), including plans and specifications, plan review, construction, change order contingency, consultant services, at-risk youth and County services, is currently estimated at \$910,031, an increase of \$22,031 from the original project budget.

On August 9, 2005, your Board approved the award of construction contract for General Improvements at Rowland Heights Park (Unit No. 86392) to Icon West Inc. The bid submitted by Icon West Inc. was \$214,330 less than the original estimated construction cost. The available funds of \$214,330 were held as a project contingency for unforeseen conditions. We are recommending that \$22,031 of the available funds from the Rowland Heights General Improvements Project be transferred to the Los Robles General Improvements Project to cover the project budget increase.

Upon your Board approval of the attached budget adjustment to transfer \$22,031 Park In-Lieu Fees from Rowland Heights Park (Unit No. 86392) to Los Robles General Improvements Project (Unit No. 86432), the proposed project will be funded by the Safe Neighborhood Parks Proposition of 1996 (\$748,000); Safe Neighborhood Parks Competitive Grant Program (\$100,000); Park In-Lieu Fees (\$51,031); and prior year Extraordinary Maintenance Net County Cost (\$11,000).

Operating Budget Impact:

The Department anticipates an increase in annual ongoing operating costs of \$4,260 for utilities, maintenance services and supplies to operate and maintain the improvements. Based on the current schedule, the Department would incur the ongoing operating costs beginning in Fiscal Year 2005-06.

The Chief Administrative Office has reviewed the operating requirements and included sufficient funding in the Provisional Financing Uses Fund as part of the Fiscal Year 2005-06 Final Changes Budget process.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Department of Parks and Recreation is seeking delegated authority to approve changes or additions to the project scope in accordance with the requirements of Public

Contract Code Section 20142, pursuant to which the maximum amount of a single change order on this project will be \$43,850. The requested change order contingency fund for the Los Robles Park Project is \$62,700 (10 percent of the construction contract).

As required by your Board, the contract documents include language requiring the Contractor and its subcontractors to have a written policy stating that their employees shall receive no less than five days annually of regular pay for actual jury service.

The contract documents also include the other applicable Board-mandated provisions, including: notification of eligibility for federal earned income credit, the County's non-responsibility and debarment ordinance; participation in the County's GAIN/GROW Program; Safely Surrendered Baby Law; and reporting solicitation of improper consideration by County employees.

As required by your Board, PIMA Corporation has submitted the proper information concerning the principal owners to the Child Support Services Department and they are in compliance with any court ordered child, family and spousal support obligations, if applicable.

As part of DPR's program to fulfill the Youth Employment Minimum Obligation as adopted for the County by your Board on June 26, 1997, your Board approved a Youth Employment Plan for the Rowland Heights Project on May 31, 2005.

As required by your Board, DPR posted the Notice Inviting Construction Bids on May 31, 2005, on the County's Office of Small Business web site.

These requirements have been reviewed and approved by County Counsel.

CONTRACTING PROCESS

On May 31, 2005, your Board adopted Plans and Specifications No. 05-0040 for the General Improvements at Los Robles Park, at an estimated construction cost of \$606,972, and instructed the Executive Officer-Clerk of the Board to advertise for construction bids in accordance with the "Instruction Sheet for Publishing Legal Advertisement."

On July 19, 2005, six (6) bids were received for the Los Robles Park Project (see Attachment B). PIMA Corporation was found to be the lowest responsive and responsible bidder and met the criteria adopted by your Board. Accordingly, DPR is recommending that the construction contract for Los Robles Park be awarded to PIMA Corporation (see Attachment D).

IMPACT ON CURRENT SERVICES

The proposed project will renovate a facility that currently does not provide active recreation programming. The renovations include improvements that will increase the safety and accessibility of the park's amenities and passive recreation activities for park patrons. It is anticipated that the project will begin construction in September 2005 and will be completed in February 2006.

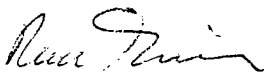
ENVIROMENTAL DOCUMENTATION

On May 31, 2005, your Board found the project to be categorically exempt from the California Environmental Quality Act.

CONCLUSION

Please instruct the Executive Officer-Clerk of the Board to forward one conformed copy of this letter to the Chief Administrative Office, Capital Projects Division and two conformed copies to the Department of Parks and Recreation.

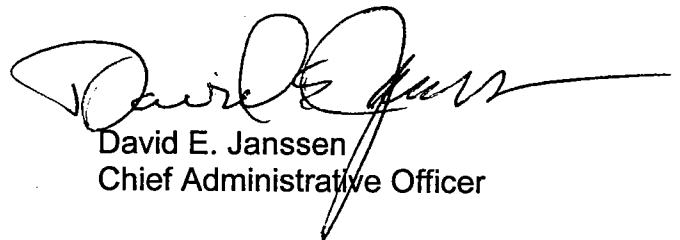
Respectfully submitted,



Russ Guiney
Director

Attachments (4)
dd:losroblesawardbltr.doc

c: Executive Office (22)
County Counsel



David E. Janssen
Chief Administrative Officer

ATTACHMENT A

**AWARD A CONSTRUCTION CONTRACT
FOR GENERAL IMPROVEMENTS AT LOS ROBLES PARK
UNIT NO. 86432, SPEC. NO. 05-0040
(Fourth District - 3 Vote Matter)**

Project Activity	Scheduled Completion Date	Revised Completion Date	Date Completed
1. Land Acquisition	N/A	N/A	N/A
2. Environmental Impact Report	N/A	N/A	N/A
3. Program	4/2003	4/2003	4/2003
4. Schematic Design	12/2003	N/A	12/2003
5. Design Development	2/2004	N/A	2/2004
6. Construction Documents	11/2004	N/A	11/2004
7. Jurisdictional Approval	4/2005	4/2005	4/2005
8. Construction Contract Award	7/2005	9/20/2005	
9. Construction Start	8/2005	09/27/2005	
10. Final Inspection	2/2006	3/23/2006	
11. Final Acceptance	4/2006	5/2006	

II. PROJECT COST SUMMARY

Cost Category	Original Project Cost Estimate	Impact of Proposed Action	Revised Project Cost
1. Land Acquisition	N/A	N/A	N/A
2. Plans and Specifications	\$75,249	\$0	\$75,249
3. Plan Review	\$450	\$0	\$450
4. Make-Ready Activities	\$6,700	\$0	\$6,700
5. Construction	\$606,972	\$20,028	\$627,000
6. Change Order/Contingencies	\$60,697	\$2,003	\$62,700
7. Consultant Services	\$11,100	\$0	\$11,100
8. County Services	\$113,376	\$0	\$113,376
9. Youth Employment Plan*	\$13,456	\$0	\$13,456
TOTAL	\$888,000	\$22,031	\$910,031

* Including youth employment, supervision, and materials.

ATTACHMENT B

**AWARD A CONSTRUCTION CONTRACT
FOR GENERAL IMPROVEMENTS AT LOS ROBLES PARK
UNIT NO. 86432, SPEC. NO. 05-0040
(Fourth District - 3 Vote Matter)**

No.	BIDDER	BASE BID	ADD. ALT. 1	ADD. ALT. 2	TOTAL
1	California Building Evaluation & Construction	1,200,000	75,000	75,000	\$1,350,000
2	GB Construction, Inc.	671,000	87,000	61,000	\$819,000
3	Green Giant Landscape	730,000	98,000	75,873	\$903,873
4	Trimax Construction	686,000	42,000	30,000	\$758,000
5	Pima Corporation	627,000	31,250	66,250	\$724,500
6	MJ Contractor's, Inc.	650,000	158,000	48,000	\$856,000

COUNTY OF LOS ANGELES
REQUEST FOR APPROPRIATION ADJUSTMENTDEPT'S. 600-13
No.

DEPARTMENT OF Parks and Recreation

August 10, 192005

AUDITOR-CONTROLLER.

THE FOLLOWING APPROPRIATION ADJUSTMENT IS DEEMED NECESSARY BY THIS DEPARTMENT. WILL YOU PLEASE REPORT AS TO ACCOUNTING AND AVAILABLE BALANCES AND FORWARD TO THE CHIEF ADMINISTRATIVE OFFICER FOR HIS RECOMMENDATION OR ACTION.

ADJUSTMENT REQUESTED AND REASONS THEREFOR

3-Votes Matter

Please see attached

Justification: Adjustment is necessary to increase the revenue and appropriation in order to provide sufficient funds to award the construction contract to Pima Corporation for Los Robles Park General Improvements.

Ahmed Bahbah
Ahmed Bahbah, Accounting Officer III

CHIEF ADMINISTRATIVE OFFICER'S REPORT

REFERRED TO THE CHIEF
ADMINISTRATIVE OFFICER FOR—

ACTION

APPROVED AS REQUESTED

AS REVISED

RECOMMENDATION

AUG 6, 2005

CHIEF ADMINISTRATIVE OFFICER

AUDITOR-CONTROLLER

BY

APPROVED (AS REVISED):
BOARD OF SUPERVISORS

19

No. 18

AUG. 23 2005

BY

DEPUTY COUNTY CLERK

**APPROVAL OF APPROPRIATION ADJUSTMENT
AWARD A CONSTRUCTION CONTRACT
FOR GENERAL IMPROVEMENTS AT
LOS ROBLES PARK
UNIT NO. 86432 SPEC. NO. 05-0040
(Fourth District - 3 Vote Matter)**

FINANCIAL SOURCES:

Capital Projects/Refurbishments
Department of Parks and Recreation
Rowland Heights Park (4)
Rfurb-General Improvements
A01 – CP - 86392 – 6014
\$22,000 Decreases Appropriation

Capital Projects/Refurbishments
Department of Parks and Recreation
Los Robles Park (4)
Rfurb-General Improvements
Rev: Charges for Svs Quimby/CP
A01 – CP – 86432 – R401
\$22,000 Increases Revenue

FINANCIAL USES:

Capital Projects/Refurbishments
Department of Parks and Recreation
Rowland Heights Park (4)
Rfurb-General Improvements
Rev: Charges to Svs Quimby/CP
A01 – CP – 86392 –R401
\$22,000 Decreases Revenue

Capital Projects/Refurbishments
Department of Parks and Recreation
Los Robles Park (4)
Rfurb-General Improvements
A01 – CP – 86432 - 6014
\$22,000 Increases Appropriation

Justification: Adjustment is necessary to increase the revenue and appropriation in order to provide sufficient funds to award the construction contract to PIMA Corporation for Los Robles Park General Improvements.

ATTACHMENT D

CONSTRUCTION CONTRACT AGREEMENTS (4)
(see attached)

AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of _____, 2005, by and between the COUNTY OF LOS ANGELES, State of California (hereinafter called the County), and

PIMA CORPORATION
2001 S. Barrington Avenue, Suite 204
Los Angeles, California 90025
(310) 231-7060
(hereinafter called the Contractor),

WITNESSETH

FIRST: That the Contractor, in consideration of the promises of the County hereinafter set forth, hereby agrees to furnish all tools, equipment, labor and material necessary to perform and complete in a good and workmanlike manner,

LOS ROBLES PARK
GENERAL IMPROVEMENTS CAPITAL PROJECT NO. 86432
14906 East Los Robles Avenue
Hacienda Heights, California 91748
SPEC. NO. 05-0040

within the time and in accordance with the recommendation of the Director of the Department of Parks and Recreation, dated **September 20, 2005**, Plans and Specifications No. **05-0040**, the Notice Inviting Bids, and the lump sum bid of the Contractor, each of which is incorporated herein as though fully set forth, and all of which are hereby agreed by the parties to constitute the contract documents.

SECOND: That the County agrees, in consideration of the performance of this contract, to pay to the Contractor, and the Contractor agrees to accept in full satisfaction for the work done hereunder, a sum of **\$627,000 (Six Hundred Twenty Seven Thousand Dollars and No Cents)**, which sum shall be paid to the Contractor at the time and in the manner set forth in the specifications.

IN WITNESS WHEREOF, the County has, by order of its Board of Supervisors, caused these presents to be subscribed by the Chairman of said Board and the seal of the Board to be affixed and attested by the Clerk thereof, and the Contractor has hereunto subscribed its corporate name and affixed its corporate seal by its duly authorized officers the day, month and year first above written.

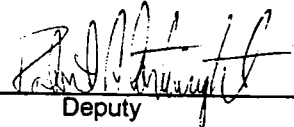
Attest: Violet Varona-Lukens
Executive Officer
Clerk of the Board of Supervisors

COUNTY OF LOS ANGELES

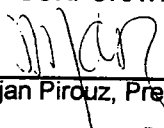
By _____

Chair, Board of Supervisors

APPROVED AS TO FORM:
RAYMOND G. FORTNER, JR.
County Counsel

By 
Deputy

PIMA CORPORATION

By 
Bijan Pirouz, President

By _____
Secretary

A. B. C27
Classification

698859

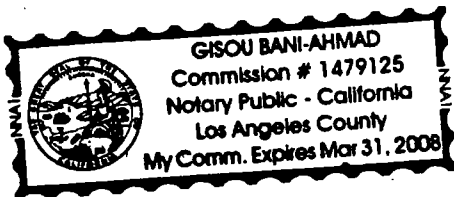
License No.

CONTRACTOR

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Los Angeles
On 9-6-05 before me, Gisou Bani-Ahmad
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")
personally appeared Gisou Bani-Ahmad
Name(s) of Signer(s)

- ☒ personally known to me – OR – ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer
Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer
Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

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OF SIGNER
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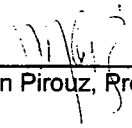
ACKNOWLEDGMENT

SUBJECT:

**LOS ROBLES PARK
GENERAL IMPROVEMENTS CAPITAL PROJECT NO. 86432
14906 East Los Robles Avenue
Hacienda Heights, California 91748
SPEC. NO. 05-0040**

I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions of that Code, and I will comply with such provisions before commencing the performance of the work of this Contract.

PIMA CORPORATION

By  _____
Bijan Pirouz, Resident

Date 9-1-05

BOND FOR FAITHFUL PERFORMANCE

KNOW ALL MEN BY THESE PRESENTS:

That we, PIMA Corporation, as principal, and Arch Insurance Company, as surety, are held and firmly bound unto the COUNTY OF LOS ANGELES, State of California, hereinafter referred to as the County, in the sum of \$627,000 (Six Hundred Twenty Seven Thousand Dollars and No Cents), lawful money of the United States, for the payment of which sum, well and truly made, we bind ourselves, jointly and severally, firmly by these presents.

The condition of the foregoing obligation is such that whereas said principal has been awarded and is about to enter into the annexed contract with the County of Los Angeles, State of California, for:

LOS ROBLES PARK
GENERAL IMPROVEMENTS CAPITAL PROJECT NO. 86432
14806 East Los Robles Avenue
Hacienda Heights, California 91748
SPEC. NO. 05-0040

and is required by said County to give this bond in connection with the execution of said contract;

NOW, THEREFORE, if said principal shall well and truly do and perform all of the covenants and obligations of said contract on its part to be done and performed at the times and in the manner specified therein, then this obligation shall be null and void; otherwise, it shall be and remain in full force and effect. No premature payment by said County to said principal shall exonerate any surety unless the Board of Supervisors of said County shall have actual notice that such payment is premature at the time it is ordered by said Board, and then only to the extent that such payment shall result in loss to such surety, but in no event more than the amount of such premature payment. This bond shall remain in effect for a period of not less than one year after final acceptance of the contract work.

Attest: Violet Varona-Lukens
Executive Officer
Clerk of the Board of Supervisors

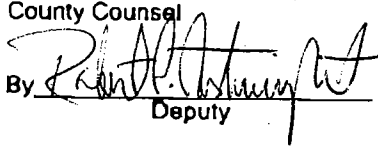
COUNTY OF LOS ANGELES

By _____

Chair, Board of Supervisors

WITNESS our hands this 1ST day of SEPTEMBER, 2005

APPROVED AS TO FORM:
RAYMOND G. FORTNER, JR.
County Counsel

By 
Deputy

PIMA CORPORATION

By 
Bijan Prouz, President

By _____
Secretary

By ARCH INSURANCE COMPANY
Surely

By 
Attorney-In-Fact

JANET L. MILLER

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Los Angeles
On 9-6-05 before me, Gisou Bani-Ahmad
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")
personally appeared Bryan Bani-Ahmad
Name(s) of Signer(s)

☒ personally known to me – OR – ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s); or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer
Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
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Signer's Name: _____

- ☐ Individual
☐ Corporate Officer
Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
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CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

State of California

County of San Bernardino

SS.

On September 1, 2005 before me, Pamela McCarthy, Notary Public

Name and Title of Officer (e.g., "Jane Doe, Notary Public")

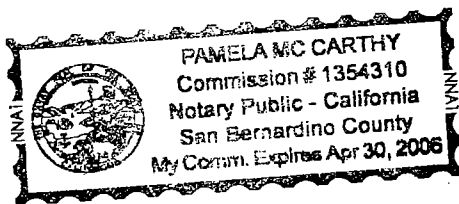
Personally appeared Janet L. Miller

Name(s) of Signer(s)

☒ personally known to me

☐ proved to me on the basis of satisfactory evidence

to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.



WITNESS my hand and official seal.

Pamela McCarthy
Signature of Notary Public

OPTIONAL

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Signer's Name: _____

☐ Individual

☐ Corporate Officer

Title _____

☐ Partner -- ☐ Limited ☐ General

☒ Attorney-in-Fact

☐ Trustee

☐ Guardian or Conservator

Other: _____

RT THUMBPRINT
OF SIGNER

Top of thumb here

Signer is Representing: _____

PAYMENT BOND FOR LABOR AND MATERIALS

KNOW ALL MEN BY THESE PRESENTS:

That we, **PIMA Corporation**, as principal, and **Arch Insurance Company**, as surety, are held and firmly bound unto the COUNTY OF LOS ANGELES, State of California, hereinafter referred to as the County, in the sum of **\$627,000 (Six Hundred Twenty Seven Thousand Dollars and No Cents)**, lawful money of the United States, for the payment of which sum, well and truly made, we bind ourselves, jointly and severally, firmly by these presents.

The condition of the above obligation is such that, whereas said principal has been awarded and is about to enter into a written contract with the County for:

**LOS ROBLES PARK
GENERAL IMPROVEMENTS CAPITAL PROJECT NO. 86432
14906 East Los Robles Avenue
Hacienda Heights, California 91748
SPEC. NO. 05-0040**

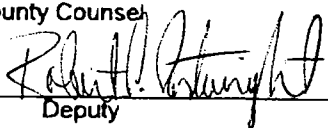
which is hereto attached and made a part hereof, and to which reference is hereby made for all particulars, and is required by said County to give this bond in connection with the execution of said contract;

NOW, THEREFORE, if said principal, as contractor in said contract, or principal's subcontractor, fails to pay any of the persons referred to in Section 3181 of the Civil Code of the State of California for labor performed, skills or other necessary services bestowed, site improvement made, equipment leased, or appliances, equipment, implements, machinery, materials, power, provender, provisions, teams, or trucks furnished or used in, upon, or about the performance of this work contracted to be done, or for amounts due under the Unemployment Insurance Code with respect to such work or labor performed by such claimant, or for any amounts required to be deducted, withheld, and paid over to the Employment Development Department from the wages of employees of the contractor and the subcontractors pursuant to Section 13020 of the Unemployment Insurance Code, with respect to such work and labor, said surety shall pay for the same in an amount not exceeding the sum specified above, and if suit is brought upon this bond, a reasonable attorney's fee to be fixed by the court. This bond is executed pursuant to Chapter 7 of Division 3, Part 4, Title 15 of the Civil Code of the State of California, and shall inure to the benefit of any of the persons referred to in said Civil Code Section 3181, as it now exists or may hereafter be amended, so as to give a right of action to such persons or their assigns in any suit brought upon this bond.


No premature payment by said County to said principal shall exonerate any surety unless the Board of Supervisors of said County shall have actual notice that such payment is premature at the time and it is ordered by said Board, and then only to the extent that such payment shall result in loss to such surety, but in no event more than the amount of such premature payment. It is agreed that any alterations in the work to be done, or increase or decrease of the materials to be furnished, which may be made pursuant to the terms of said contract shall not in any way release either the principal or surety hereunder, nor shall any extensions of time granted under the provisions of said contract release either the principal or surety, and notice of such alterations or extensions of this contract is hereby waived by the surety.

WITNESS our hands this 1ST day of SEPTEMBER, 2005.

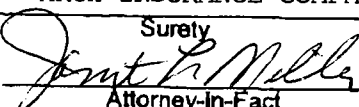
APPROVED AS TO FORM:
RAYMOND G. FORTNER, JR.
County Counsel

By 
Deputy

PIMA CORPORATION

By 
Bijan Pirouz, President
By _____
Secretary

By ARCH INSURANCE COMPANY
Surety

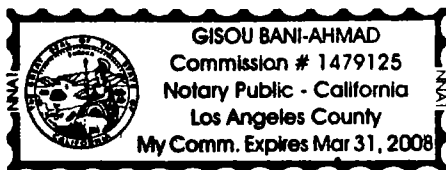
By 
Attorney-in-Fact

JANET L. MILLER

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Los Angeles
On 9-6-05 before me, Gisou Bani-Ahmad
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")
personally appeared Gisou Bani-Ahmad
Name(s) of Signer(s)

☒ personally known to me - **OR** - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer
Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer
Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
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CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

State of California

County of San Bernardino

SS.

On September 1, 2005 before me, Pamela McCarthy, Notary Public

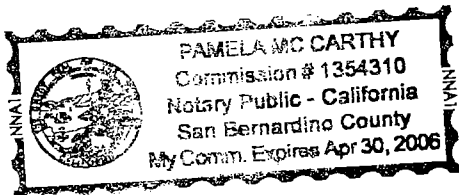
Name and Title of Officer (e.g., "Jane Doe, Notary Public")

Personally appeared Janet L. Miller

Name(s) of Signer(s)

☒ personally known to me

☐ proved to me on the basis of satisfactory evidence



to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Pamela McCarthy
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

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Signer's Name: _____

☐ Individual

☐ Corporate Officer

Title _____

☐ Partner -- ☐ Limited ☐ General

☒ Attorney-in-Fact

☐ Trustee

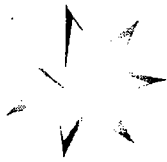
☐ Guardian or Conservator

Other: _____

RT THUMBPRINT
OF SIGNER

Top of thumb here

Signer is Representing: _____



ARCH Insurance Company

ARCH Surety

NOTICE – DISCLOSURE OF TERRORISM PREMIUM

In accordance with the Terrorism Risk Insurance Act of 2002, we are providing this disclosure notice for bonds on which Arch Insurance Company is the surety.

DISCLOSURE OF PREMIUM

The portion of the premium attributable to coverage for terrorist acts certified under the Act is Zero Dollars (\$0.00).

DISCLOSURE OF FEDERAL PARTICIPATION IN PAYMENT OF TERRORISM LOSSES

The United States will pay ninety percent (90%) of covered terrorism losses exceeding the applicable insurer deductible.

POWER OF ATTORNEY

Know All Men By These Presents:

That the Arch Insurance Company, a corporation organized and existing under the laws of the State of Missouri, having its principal office in Kansas City, Missouri (hereinafter referred to as the "Company") does hereby appoint

Kelly A. Saitman, Jay P. Freeman and Janet L. Miller of of Ontario, CA (EACH)

its true and lawful Attorney(s)-in-Fact, to make, execute, seal, and deliver from the date of issuance of this power for and on its behalf as surety, and as its act and deed:

Any and all bonds and undertakings

EXCEPTION: NO AUTHORITY is granted to make, execute, seal and deliver bonds or undertakings that guarantee the payment or collection of any promissory note, check, draft or letter of credit.

This authority does not permit the same obligation to be split into two or more bonds in order to bring each such bond within the dollar limit of authority as set forth herein.

The Company may revoke this appointment at any time.

The execution of such bonds and undertakings in pursuance of these presents shall be as binding upon the said Company as fully and amply to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at its principal office in Kansas City, Missouri.

This Power of Attorney is executed by authority of resolutions adopted by unanimous consent of the Board of Directors of the Company on March 3, 2003, true and accurate copies of which are hereinafter set forth and are hereby certified to by the undersigned Secretary as being in full force and effect:

"VOTED, That the Chairman of the Board, the President, or any Vice President, or their appointees designated in writing and filed with the Secretary, or the Secretary shall have the power and authority to appoint agents and attorneys-in-fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings, obligatory in the nature thereof, and any such officers of the Company may appoint agents for acceptance of process."

This Power of Attorney is signed, sealed and certified by facsimile under and by authority of the following resolution adopted by the unanimous consent of the Board of Directors of the Company on March 3, 2003:

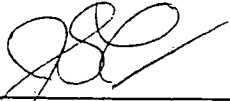
VOTED, That the signature of the Chairman of the Board, the President, or any Vice President, or their appointees designated in writing and filed with the Secretary, and the signature of the Secretary, the seal of the Company, and certifications by the Secretary, may be affixed by facsimile on any power of attorney or bond executed pursuant to the resolution adopted by the Board of Directors on March 3, 2003, and any such power so executed, sealed and certified with respect to any bond or undertaking to which it is attached, shall continue to be valid and binding upon the Company.

In Testimony Whereof, the Company has caused this instrument to be signed and its corporate seal to be affixed by their authorized officers, this 25th day of November, 2003.

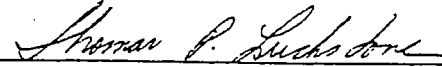
Arch Insurance Company

Attested and Certified





Joseph S. Labell, Corporate Secretary

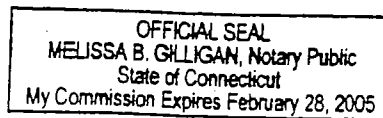


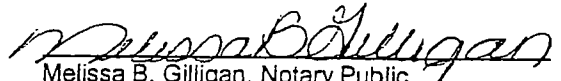
Thomas P. Luckstone, Vice President

STATE OF CONNECTICUT SS

COUNTY OF FAIRFIELD SS

I Melissa B. Gilligan, a Notary Public, do hereby certify that Thomas P. Luckstone and Joseph S. Labell personally known to me to be the same persons whose names are respectively as Vice President and Corporate Secretary of the Arch Insurance Company, a Corporation organized and existing under the laws of the State of Missouri, subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that they being thereunto duly authorized signed, sealed with the corporate seal and delivered the said instrument as the free and voluntary act of said corporation and as their own free and voluntary acts for the uses and purposes therein set forth.





Melissa B. Gilligan, Notary Public
My commission expires 2-28-05

CERTIFICATION

I, Joseph S. Labell, Corporate Secretary of the Arch Insurance Company, do hereby certify that the attached Power of Attorney dated November 25, 2003 on behalf of the person(s) as listed above is a true and correct copy and that the same has been in full force and effect since the date thereof and is in full force and effect on the date of this certificate; and I do further certify that the said Thomas P. Luckstone, who executed the Power of Attorney as Vice President, was on the date of execution of the attached Power of Attorney the duly elected Vice President of the Arch Insurance Company.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the Arch Insurance Company on this 1ST day of SEPTEMBER, 2005.



Joseph S. Labell, Corporate Secretary

This Power of Attorney limits the acts of those named therein to the bonds and undertakings specifically named therein and they have no authority to bind the Company except in the manner and to the extent herein stated.



Home Office: Kansas City, MO

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